UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,013	10/03/2000	Bruce Edward Ziegler	30602	4538

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EXAMINER
KADING, JOSHUA A

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Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _18 May 2004_.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-20_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-20_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _03 October 2000_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a) ☐ All b) ☐ Some * c) ☐ None of:

  1. ☐ Certified copies of the priority documents have been received.

  2. ☐ Certified copies of the priority documents have been received in Application No. _____.

  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

The use of the trademark JAVA has been noted in this application. It should be

capitalized wherever it appears and be accompanied by the generic terminology.

5   Although the use of trademarks is permissible in patent applications, the

proprietary nature of the marks should be respected and every effort made to prevent

their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 112

10   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claims 17-20 are rejected under 35 U.S.C. 112, second paragraph, as being

15   indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claim 17 uses the word "applet" in the claim language. Applicant uses the term

"applet" as defined by the JAVA programming language, see the Specification, page 5,

lines 23-26. Although the term "applet" is itself not necessarily a trademark, JAVA is a

20   trademark; and since an applet is completely derived from the JAVA programming

language, it stands to reason that if JAVA were to change (or become obsolete) so

would the "applet" by definition. Therefore, the term "applet" renders the claim vague

and indefinite because the scope and meaning of the term "applet" is defined in terms of

a trademark, i.e. the JAVA programming language. See MPEP 21703.05(u) for 35

U.S.C. 112 second paragraph rejections using trademarks.

Claim Rejections - 35 USC § 101

5   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10   Claims 17-20 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter. Claims 17-20 all disclose a process within a

computer executed by a computer program. As understood at this time, claims 17-20

merely transform or manipulate data within a computer, specifically displaying,

searching, or changing data within a telecommunications switch list. The MPEP

15   2106.IV.B.2(b) states that a statutory computer process claim "taken as a whole" must

have some "practical application" outside the "transformation of signals or data inside a

computer" to be considered statutory. Since claims 17-20 are only manipulating data

within a database (the switch list) and have no apparent practical application, they are

not patentable material under 35 U.S.C. 101.

20

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claims 1, 2, 4, 6, 11-14, and 16 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Leong et al. (U.S. Patent 6,269,398 B1).

In regard to claim 1, Leong discloses "an administrator to select a...local routing

5   switch (figure 3A, step 302 where identifying is the same as selecting); listing data

tables from the...local routing switch (figure 13, where all the entries are different

routing table or routing interface entries); the administrator to select one of the data

tables (figure 13 where the square around the first entry means the administrator has

selected that data table); retrieving information from the selected data table and for

10   displaying the information (figure 14, where the information displayed is the data table

chosen in the previous step); permitting the administrator to make changes to the

retrieved information (figure 14, element 1405 permits the administrator to change the

table); and sending changes made to the retrieved information to an interface on

the...local routing switch so that the changes may be incorporated in the data table

15   (figure 14, element 1406 allows the changes to be sent or applied to the selected

router)." However, Leong lacks "a computer program" to perform the method and "a

voice-over-i.p." routing switch.

It would have been obvious to one with ordinary skill in the art at the time of

invention to include the computer program with the method for the purpose of allowing

20   the administrator to obtain and change information about the network that only a

computer program can obtain and change. The motivation being that a computer

program is the most efficient way of performing the method.

It also would have been obvious to one with ordinary skill in the art at the time of invention to include the VoIP routing switch with the method as an obvious design choice. The motivation being that there needs to be a router at the network level to have communication and the type of router is a design choice as any router performs the

5   same generic function of routing information from one place to another.

In regard to claim 2, Leong discloses "...the retrieved information is presented in a plurality of logical tables (figure 14 where the information is in a table and element 1405 allows for changes to the table)." However, Leong lacks "the computer program as

10   set forth in claim 1..." It would have been obvious to one with ordinary skill in the art at the time of invention to include the computer program with the logical tables for the same reasons and motivation as in claim 1.

In regard to claim 4, Leong discloses "...the administrator may save a logical

15   table from the logical tables to a file and perform changes to the file (figure 14, where the save button allows the administrator to save the table to a file)." However, Leong lacks "the computer program as set forth in claim 2..." It would have been obvious to one with ordinary skill in the art at the time of invention to include the computer program with the saving of the logical table for the same reasons and motivation as in claim 2.

20

In regard to claim 6, Leong discloses "...the administrator to search for information in the data table (figure 14 where the table is set up so that the administrator

can simply look at the organized columns and data to search for the information

desired)." However, Leong lacks "the computer program as set forth in claim 1, further

including a code segment for permitting..." It would have been obvious to one with

ordinary skill in the art at the time of invention to include the computer program with the

5   searching of the logical tables for the same reasons and motivation as in claim 1.

In regard to claim 11, Leong discloses "a system for modifying data tables

contained in a...local routing switch, the system comprising:

a server computer (col. 6, lines 44-48 and col. 7, lines 6-10 where it is saying that

10   one of these units can function as a network manager or server); and

a user computer (col. 6, lines 44-48);

...an administrator to select a...local routing switch from a list thereof displayed

on the user computer (figure 3A, step 302 where identifying is the same as selecting);

listing data tables from the...local routing switch (figure 13, where all the entries are

15   different routing table or routing interface entries); the administrator to select one of the

data tables from a list thereof displayed on the user computer (figure 13 where the

square around the first entry means the administrator has selected that data table);

retrieving information from the selected data table and for displaying the information on

the user computer (figure 14, where the information displayed is the data table chosen

20   in the previous step); permitting the administrator to make changes to the retrieved

information (figure 14, element 1405 permits the administrator to change the table);

sending changes made to the retrieved information to an interface on the...local routing

switch so that the changes may be incorporated in the data table (figure 14, element

1406 allows the changes to be sent or applied to the selected router)." However, Leong

lacks "a computer program" to perform the method and "a voice-over-i.p." routing

switch.

5   It would have been obvious to one with ordinary skill in the art at the time of

invention to include the computer program with the method for the purpose of allowing

the administrator to obtain and change information about the network that only a

computer program can obtain and change. The motivation being that a computer

program is the most efficient way of performing the method.

10   It also would have been obvious to one with ordinary skill in the art at the time of

invention to include the VoIP routing switch with the method as an obvious design

choice. The motivation being that there needs to be a router at the network level to have

communication and the type of router is a design choice as any router performs the

same generic function of routing information from one place to another.

15

          In regard to claim 12, Leong discloses "...the retrieved information is presented

in a plurality of logical tables (figure 14 where the information is in a table and element

1405 allows for changes to the table)." However, Leong lacks "the computer program as

set forth in claim 11..." It would have been obvious to one with ordinary skill in the art at

20   the time of invention to include the computer program with the logical tables for the

same reasons and motivation as in claim 11.

In regard to claim 13, Leong discloses "...the administrator may make changes directly to one of the plurality of logical tables (figure 14 where the information is in a table and element 1405 allows for changes to the table)." However, Leong lacks "the voice over-i.p. routing switch. It would have been obvious to one with ordinary skill in the

5   art at the time of invention to include the switch with the modifying of logical tables for the same reasons and motivation as in claim 11.

In regard to claim 14, Leong discloses "...the administrator may save a logical table to a file and perform changes to the file (figure 14, where the save button allows

10   the administrator to save the table to a file)." However, Leong lacks "the computer program as set forth in claim 11..." It would have been obvious to one with ordinary skill in the art at the time of invention to include the computer program with the saving of the logical table for the same reasons and motivation as in claim 11.

15   In regard to claim 16, Leong discloses "...the administrator to search for information in the data table (figure 14 where the table is set up so that the administrator can simply look at the organized columns and data to search for the information desired)." However, Leong lacks "the computer program as set forth in claim 11, further including a code segment for permitting..." It would have been obvious to one with

20   ordinary skill in the art at the time of invention to include the computer program with the searching of the logical tables for the same reasons and motivation as in claim 11.

Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Leong et al. in view of Mathur (U.S. Patent 6,308,220 B1).

In regard to claim 7, Leong discloses "a method for modifying data tables

5   contained in a...local routing switch, the method comprising the steps of: selecting

a...local routing switch from a list thereof displayed on a computer (figure 3A, step 302

where identifying is the same as selecting and as can be seen in figures 4-20 all

selecting and modifying of data is done by computer display); selecting a data table

supported by the selected...local routing switch from a list thereof presented on the

10   computer (figure 13 where the square around the first entry means the administrator

has selected that data table); modifying the information (figure 14, element 1405 permits

the administrator to change the table); and sending the modifications to an interface on

the...local routing switch using the computer so that the modifications may be

incorporated in the data table (figure 14, element 1406 allows the changes to be sent or

15   applied to the selected router)."

However, Leong lacks "a voice-over-i.p." routing switch and "searching for

information in the selected data table by entering search criteria in the computer".

Firstly it would have been obvious to one with ordinary skill in the art at the time

of invention to include the VoIP routing switch with the method as an obvious design

20   choice. The motivation being that there needs to be a router at the network level to have

communication and the type of router is a design choice as any router performs the

same generic function of routing information from one place to another.

Mathur discloses "searching for information in the selected data table by entering

search criteria in the computer (col. 2, lines 43-46 where it is implied that the MAC or IP

address being searched for was entered into the search engine at some point, further

although it does not explicitly state who or what is entering the search criteria in the

5   computer, it is merely a matter of design choice what would do this; that is to say

whether a received piece of data or a string entered by a user is the search criteria is

irrelevant because the search engine will operate the same and return the same results

in both instances, therefore it is a matter of design choice which (if not both) would be

used)."

10   It would have been obvious to one with ordinary skill in the art at the time of

invention to include the search engine and search for the purpose of configuring the

router (or switch) to continue routing data (Mathur, col. 1, lines 36-40). The motivation

for searching a routing table to find a corresponding output is so that the received data

can then be transmitted to the next step in its transmission.

15

In regard to claim 8, Leong and Mathur disclose the method as set forth in claim

7. However, Mathur lacks what Leong further discloses "the information is presented in

a plurality of logical tables that may be modified by the administrator (figure 14 where

the information is in a table)." It would have been obvious to one with ordinary skill in the

20   art at the time of invention to include the plurality of logical tables for the same reasons

and motivation as in claim 7.

In regard to claim 9, Leong and Mathur disclose the method as set forth in claim 8. However, Mathur lacks what Leong further discloses, "the administrator may make changes directly to one of the plurality of logical tables (figure 14 where the information is in a table and element 1405 allows for changes to the table)." It would have been

5   obvious to one with ordinary skill in the art at the time of invention to include the modifying of logical tables for the same reasons and motivation as in claim 8.

In regard to claim 10, Leong and Mathur disclose the method as set forth in claim 7. However, Mathur lacks what Leong further discloses, "an administrator may save a

10   logical table to a file and perform changes to the file (figure 14, where the save button allows the administrator to save the table to a file)." It would have been obvious to one with ordinary skill in the art at the time of invention to include the saving of logical tables for the same reasons and motivation as in claim 7.

15   *Response to Arguments*

The objection to claim 3 is withdrawn in light of the amended claim 3.

Applicant's arguments filed 18 May 2004 have been fully considered but they are not persuasive.

20   Applicant argues that the rejections using Leong do not read on claims 1, 7, and 11. Specifically that Leong does not teach the "uploading" or saving of "mass amounts of information to the routing tables", see Remarks, page 9, lines 16-25. Examiner

respectfully disagrees. As evidence for the assertion that Leong does not teach

"uploading mass amounts of information to the routing tables", applicant points to

Leong, col. 12, lines 27-39 and more specifically to the discussion of button 1406.

It is believed that applicant is misreading Leong with regard to figure 14, and

5   button 1406. As stated in Leong, col. 12, lines 34-38

> Clicking the apply button 1406 causes the network management system to have the
> router update its routing tables. The routing table window also provides a "Get Again"
> button which obtains the most recent routing table from the router.

10   When button 1406 is pressed it is clearly stated that "the router" (not the

management system) updates "its routing tables". Since the updates were made at the

management system and do not take effect until authorized do to so, as per Leong, col.

12, lines 27-34, the updated routing table information must have been uploaded to the

router. If it weren't, how else would the router get the most up to date routing tables and

15   be able to send them back to the management system upon request?

Applicant's arguments, see Remarks, page 10, lines 17-27, filed 18 May 2004,

with respect to the rejection(s)of claim(s) 7 under 35 U.S.C. 103 have been fully

considered and are persuasive. Therefore, the rejection has been withdrawn.

20   However, upon further consideration, a new ground(s) of rejection is made in view of
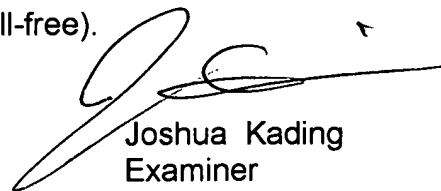
newly discovered prior art.

Lastly, all rejections for dependent claims of independent claims 1, 7, and 11 are

maintained in view of the above arguments and new rejections.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joshua Kading whose telephone number is (703) 305-

0342. The examiner can normally be reached on M-F: 8:30AM-5PM.

5   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Douglas Olms can be reached on (703) 305-4703. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

10   published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

15
                                        Joshua Kading
                                        Examiner
                                        Art Unit 2661

July 27, 2004

                    KENNETH VANDERPUYE
                    PRIMARY EXAMINER